IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3105 OF 2006

In

APPEAL (LODGING) NO.731 OF 2006

In

MISCELLANEOUS PETITION NO.27 OF 2004

In

PETITION NO.657 OF 1982

Dr.Behram Meherwanji Sethna : Appellant

(Orig.Petitioner no.2)

V/s.

Mrs.Silloo Dara Zaiwalla & Anr. : Respondents

(Orig.Resp. Nos.1 & 3)

...

Mr.Uday Warunjikar for the appellant.

Mr.G.R.Khinkabwala i/b. M/s.Zaiwala & Co., for the respondents.

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CORAM : R.M.LODHA & S.A.BOBDE,JJ.

DATE : OCTOBER 16, 2006.

P.C.

1. The appeal suffers from delay of 12 days. In the affidavit-in-support of the Notice of Motion, the explanation has been set out in paras 2 and 3. In our

considered view, the delay is sufficiently explained.

2. We, accordingly, condone the delay and direct the office to post the appeal for admission as soon as numbered.

3. Notice of Motion stands disposed of.

R.M. LODHA, J.

S.A. BOBDE, J.